

ARKANSAS SUPREME COURT

No. CACR 04-1130

JAMES E. McDONALD
Petitioner

v.

STATE OF ARKANSAS
Respondent

Opinion Delivered November 6, 2008

PRO SE MOTION TO DISMISS
WITHOUT PREJUDICE PRO SE
PETITION TO REINVEST
JURISDICTION IN TRIAL COURT TO
CONSIDER A PETITION FOR WRIT
OF ERROR CORAM NOBIS [CIRCUIT
COURT OF MILLER COUNTY, CR
2004-103]

MOTION GRANTED.

PER CURIAM

In 2004, petitioner James E. McDonald was found guilty by a jury of aggravated robbery, and two counts of first-degree battery. He was sentenced to an aggregate term of 1080 months' imprisonment. The Arkansas Court of Appeals affirmed. *McDonald v. State*, CACR 04-1130 (Ark. App. Jun. 1, 2005).

On May 20, 2008, petitioner filed in this court a pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis.¹ The petition to reinvest jurisdiction in the trial court is necessary because the circuit court can entertain a petition for writ of error coram nobis after a judgment has been affirmed on appeal only after we grant permission. *Dansby v. State*, 343 Ark. 635, 37 S.W.3d 599 (2001) (per curiam).

Now before us is petitioner's pro se motion to dismiss without prejudice the petition for coram nobis relief. As petitioner concedes that no grounds were stated to support the issuance of

¹For clerical purposes, the instant pleading was assigned the same docket number as the direct appeal of the judgment.

the writ, the motion to dismiss the petition is granted.

Motion granted.